

State of Oregon  
Department of Environmental Quality

Memorandum

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**To:** David Anderson, Manager  
ER Hazardous Waste Section

**Date:** July 17, 2018

**From:** Rich Duval, P.E., Engineer, Eastern Region, DEQ

**Section:** Pendleton Office

**Subject:** Chemical Waste Management of the Northwest, Inc.  
Addition of ORU2 Tanks, MOD 118

**DESCRIPTION OF SUBMITTAL**

On October 23, 2015, Chemical Waste Management of the Northwest, Inc. (CWMNW) submitted a Class 3 permit modification request (PMR) to install and operate an additional Organic Recovery Unit (ORU-2) to treat and recycle hazardous waste. The proposed changes were submitted as a Class 3 PMR in accordance with 40 CFR 270.42(d).

Approval of this PMR would not increase the footprint or capacity of any of the permitted landfills at CWMNW.

**DESCRIPTION OF PERMIT MODIFICATION REQUEST**

This PMR seeks to add an additional Organic Recovery Unit to the permit. Changes are proposed to conditions in the base permit, including a new section to address miscellaneous units, a new standalone for ORU-2 and conditions for the application of air emission requirements for ORU-2. The PMR included major changes to three of the twenty-one standalone documents plus the addition of a new standalone 22 to incorporate requirements for the proposed Organic Recovery Unit. Major changes were in the Inspection Plan (standalone 3), the Closure/Post-Closure Plan (standalone 5), and the Bulk Liquid Storage/Treatment Plan (standalone 8).

The ORU is a process that combines several distinct recycling/hazardous waste units. This proposed modification will add 22 new tank units and two miscellaneous units.

After extensive discussions with EPA, the Department determined that the hazardous waste treatment portion of this permit modification request was not complete. In order to be complete, the treatment section needs to contain a discussion of the applicable requirements of Part 63, Subpart EEE.

Due to the complex nature of the Subpart EEE standards and the time necessary to address these requirements, the Permittee chose to reduce the scope of this permit modification request by removing hazardous waste treatment in the ORU.



The final scope of this permit modification request included the permitting of the Organic Recovery Unit-2 (ORU-2) as a recycling unit, and the incorporation of 22 new tank units in the area identified as Wastewater Treatment Plant-2 (WWTP-2). Major changes were in the Inspection Plan (standalone 3), the Closure/Post-Closure Plan (standalone 5), and the addition of two new standalone documents. Standalone document 22 contains operational parameters of the ORU-2 unit's use as a recycling operation. Standalone document 23 contains the design and operational information for the new tank systems in WWTP-2.

### **EVALUATION OF THE PROPOSED MODIFICATION**

ORU-2 has been proposed as a recycling unit under 40 CFR 261.6(d) for management of recyclable materials identified in 40 CFR 261.6(a)(3)(iv)(C). As a recycling unit, ORU-2 is not subject to permitting, but is subject to the requirements of 40 CFR 264 subparts AA and BB.

Standalone 22 (see Attachment D) has been added to the permit to describe the design and operation of ORU-2 as a recycling unit. This standalone is not technically required for a recycling unit, as the unit is not subject to permitting standards.

None of the processes incorporated into ORU-2 are subject to subpart AA standards.

The majority of the recyclable materials managed in ORU-2 are also subject to regulation under 40 CFR 63 subpart ff, also known as the benzene NESHAP. 40 CFR 264.1064(m) allows the 40 CFR 63 subpart ff standards to be used to demonstrate compliance with the 40 CFR 264 subpart BB requirements. Permit condition II.V.1. has been added to incorporate this for ORU-2 operations (see Attachment A).

### **Wastewater Treatment Plant-2**

This permit modification request was submitted as a Class 3 request under section G.1.a. of Appendix I of 40 CFR 270.42 for facility capacity increases greater than 25%. At the time this PMR was submitted, permitted tank capacity was 391,196 gallons. The proposed addition of 320,350 gallons of capacity is 82% of the current permitted capacity.

Standalone 23 (see Attachment E) has been incorporated into the permit to address the 22 tanks being added as WWTP-2. A list of the tanks proposed for addition in the PMR can be found in Table 8-5 on pages 4 and 5 of Standalone 23.

### **Tank Requirements**

New tank systems must meet the requirements contained in Subpart J of 40 CFR 264.

### **Design and installation of new tank systems (40 CFR 264.192)**

Each of the 22 tanks proposed in this PMR are subject to these requirements. The required information to comply with paragraphs (a)(1), (a)(2) and (a)(5) of this section is contained in standalone 23. Paragraphs (a)(3) and (a)(4) do not apply to these tanks systems. The written

Professional Engineer assessments are contained in the Department's record and will be maintained in the facility's operating record.

The certification statements on installation assessments required by paragraph (g) are also contained in the Department's record and will be maintained in the facility's operating record.

The PMR is in compliance with the requirements of this section.

#### Secondary Containment Systems (40 CFR 264.193)

Each of the tanks is proposed for installation in an engineered secondary containment system consisting of a concrete structure with an epoxy coating.

Containment area B-2 has a capacity of 26,194 gallons. The largest tank in this area has a capacity of 20,000 gallons.

Containment area B-3 has a capacity of 23,576 gallons. The largest tank in this area has a capacity of 20,000 gallons.

Most of the ancillary equipment are located inside containment structures. The two exceptions are the overhead pipe rack connecting WWTP-2 with the ORU-2 operation, which is subject to daily inspection, and the 4 inch discharge line from WWTP-2 to Ponds A & B, which is constructed of double-wall piping.

The PMR is in compliance with the requirements of this section.

#### General Operating Procedures (40 CFR 264.194)

Each of the tanks proposed will have high level alarms and either dry disconnect couplings or control valves.

The PMR is in compliance with the requirements of this section.

#### Inspections (40 CFR 264.195)

All of the proposed tanks and ancillary equipment are provided with secondary containment and are subject to weekly inspections. The overhead pipe rack between WWTP-2 and ORU-2 is subject to daily inspection. The inspection schedules contained in the PMR accurately reflect this.

The PMR is in compliance with the requirements of this section.

#### Response to leaks or spills (40 CFR 264.196)

This section contains requirements for the response to spill or leaks. CWMNW is required to comply with provisions of this section under Condition IV.a.1. of the permit.

#### Closure and Post-Closure Care (40 CFR 264.197)

The PMR contained an update to standalone 5, Closure/Post-Closure Plans. The updates to the Plan adequately address the requirements for tank systems in subparts G and H of 40 CFR 264.

#### Special Requirements for Ignitable or Reactive Wastes (40 CFR 264.198)

This PMR does not propose the addition of ignitable or reactive wastes to the Bulk Liquid Storage/Treatment Plan. This section does not apply.

#### Special Requirements for Incompatible Wastes (40 CFR 254.199)

The requirements for bulk liquid storage tanks and incompatible wastes are contained in section 6.1.2 of the Waste Analysis Plan (standalone 1). This PMR proposes no changes to the WAP.

#### Air Emission Standards (40 CFR 264.200)

The wastewater treatment facility does not manage wastes subject to the 40 CFR 264 air emission rules (i.e. all wastes are below 500 ppm VOC). (NOTE: These tanks may, at times, be subject to air controls pursuant to the benzene NESHAP and are equipped with level 2 controls.)

#### **PERMITTEE'S PUBLIC COMMENT PERIOD**

A public information meeting and public comment period are required for a Class 3 PMR. The Permittee held a 60-day public comment period beginning October 28, 2015 and ending on December 28, 2015. The Permittee held a public information meeting on the PMR on December 2, 2015.

No comments were received during this comment period.

#### **DEPARTMENT'S PUBLIC COMMENT PERIOD**

The Department held a 45-day public comment period on the revised Class 3 PMR, beginning on June 1, 2018 and ending on July 16, 2018.

No formal comments were received during this comment period. Based on discussions with EPA Region X, clarifying changes were made to standalones 22 and 23.

#### **DEPARTMENT CONCLUSION/RECOMMENDATION**

It has been determined that the information from the Permittee in this PMR and addendums is complete and sufficient to reach a decision on the proposed changes. The proposed changes are in compliance with the regulatory requirements for tanks and recycling units contained in 40 CFR Part 264 subpart J and 40 CFR 261.6(d).

It is recommended that the Department approve this Class 3 permit modification request with the change pages listed in Appendices A through E.

Appendix A – Permit change pages ix and II-13

Appendix B – Standalone 3 (Inspection Plan) redline

Appendix C – Standalone 5 (Closure/Post-Closure Plan) redline

Appendix D – Standalone 22 (Organic Recovery Unit #2 Design and Operations Plan)

Appendix E – Standalone 23 (WWTP-2 Liquid Storage/Treatment Plan)

## APPENDIX A

Permit change pages ix and II-13

Chemical Waste Management of the Northwest, Inc.  
Hazardous Waste Permit • Permit No. ORD 089 452 353

Standalone

Document 14      Landfill Design and Operations Plan, administrative record no. 06087.

Standalone

Document 15      Landfill Response Action Plans, administrative record no. 06088.

Standalone

Document 16      Construction Quality Assurance Plan, administrative record no. 06089.

Standalone

Document 17      Landfill Final Cover Design Plan, administrative record no. 06090.

Standalone

Document 18      Landfill Design Drawings, administrative record no. 06091.

Standalone

Document 19      Bioremediation Facility and Organic Recovery Unit Design and Operations  
Plan, administrative record no. 06092. ‡ **Rev. 12**

Standalone

Document 20      PCB Operations Plan, administrative record no. 06093.

Standalone

Document 21      Waste Piles Plan, administrative record no. 06092. ‡ **Rev. 23**

Standalone

Document 22      Organic Recovery Unit #2 Design and Operations Plan, administrative record no.  
xxxxx.

Standalone

Document 23      WWTP-2 Liquid Storage/Treatment Plan, administrative record no. xxxxx.

ix DEQ Issued – Rev. 28 40 CFR citations adopted as Oregon Rule at OAR 340-100-0002 ef. 7/15/05

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~~permitted storage unit that require Container Level 1 or 2 standards, the Permittee shall comply with 40 CFR 264.1086(c) and (d), respectively.~~

II.U.3.

The Permittee may manage volatile organic hazardous wastes with an average concentration of 500 parts per million by weight, or more, as determined by 40 CFR 264.1083, that are undergoing biotreatment in accordance with Bioremediation Facility and Organic Recovery Unit Design and Operations Plan [A.R. 06092], Standalone Document No. 19.

## II.V. Organic Recovery Unit-2 Compliance with Subpart BB Standards

II.V.1.

In accordance with 40 CFR 264.1064(m), compliance with Subpart BB standards at the Organic Recovery Unit-2 and the tank systems in Wastewater Treatment System 2 shall be demonstrated by the regulations under 40 CFR 61 Subpart ff. Documentation of compliance with 40 CFR 61 Subpart ff standards shall be maintained in the operating record.

II-13 DEQ Issued – Rev. 28 40 CFR citations adopted as Oregon Rule at OAR 340-100-0002 ef. 7/15/05

## APPENDIX B

### Standalone 3 (Inspection Plan)



## APPENDIX C

Standalone 5 (Closure/Post-Closure Plan) redline



## APPENDIX D

Standalone 22 (Organic Recovery Unit #2 Design and Operations Plan

## APPENDIX E

### WWTP-2 Liquid Storage/Treatment Plan